

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By **CHAIRMAN CINDY YOUNKIN**, on March 28, 2003 at 3:17 P.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Cindy Younkin, Chairman (R)
Rep. Gail Gutsche, Vice Chairman (D)
Rep. Debby Barrett (R)
Rep. Larry Cyr (D)
Rep. Sue Dickenson (D)
Rep. Ron Erickson (D)
Rep. George Everett (R)
Rep. Kim Gillan (D)
Rep. Christopher Harris (D)
Rep. Carol Lambert (R)
Rep. Michael Lange (R)
Rep. Rick Maedje (R)
Rep. Bruce Malcolm (R)
Rep. Brad Newman (D)
Rep. John (Jack) W. Ross (R)
Rep. Scott Sales (R)
Rep. Veronica Small-Eastman (D)

Members Excused: Rep. Jim Peterson, Vice Chairman (R)

Members Absent: None.

Staff Present: Kathleen Ely, Committee Secretary
Larry Mitchell, Legislative Branch

Video-taped Committee: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society. THE TIME STAMP REPRESENTS ELAPSED TIME.

Committee Business Summary:

Hearing & Date Posted: SB 366, 3/11/2003; SB 456,
3/11/2003
Executive Action: SB 456, TABLED
HB 725, TABLED
SB 326, BE CONCURRED IN AS AMENDED,
16-2
SB 130, BE CONCURRED IN AS AMENDED,
15-3

HEARING ON SB 456

Opening Statement by Sponsor:

0:00 **SEN. ESP, SD 13 -- Short Title:** Revise laws related to
Hard-Rock Mining Impact Board.

Proponents' Testimony:

07:00 Page Dringman, Big Timber Grade School
23:00 Doug Lair, Chairman, Big Timber School Board
EXHIBIT (nah66a01)

Opponents' Testimony:

26:00 John Beaudry, Stillwater County Commissioners
29:00 Maureen Davey, Stillwater County Commissioners
EXHIBIT (nah66a02)
31:00 Christopher H. Allen, Stillwater Mining Company
EXHIBIT (nah66a03)
34:00 Harold Blattie, Montana Association of Counties
38:00 Tammy Johnson, Self
43:00 Elaine Allestad, Sweetgrass County Commissioner
46:00 Don Allen, Western Environmental Trade Association
47:00 Joe Mazurek, Stillwater Mining Company
49:00 Carol Ferguson, Self and Hard Rock Mining Impact Board
53:00 Angela Janacaro, Montana Mining Association

Informational Testimony: None.

Questions from Committee Members and Responses:

54:00

Closing by Sponsor:

1:09:00

HEARING ON SB 366

Opening Statement by Sponsor:

1:13:00 **SEN. GRIMES, SD 20 -- Short Title:** Revise metal mine
reclamation laws.

Proponents' Testimony:

1:19:00 Tammy Johnson, Golden Sunlight Mine

1:22:00 Rick Jordan, Golden Sunlight Mine

EXHIBIT (nah66a04)

1:25:00 Angela Janacaro, Montana Mining Association

1:27:00 Henry Bogert, Consulting Mining Engineer

1:29:00 Paul Buckley, Mine Engineer

1:33:00 Holly Wonnacott

EXHIBIT (nah66a05)

1:34:00 **REP. KEANE, HD 36**

1:35:00 Don Allen, Western Environmental Trade Association

1:26:00 Hayley Beaudry, Mining Engineer

1:27:00 Tom Figarelle, Forward Montana!

1:28:00 Mike Collins

Opponents' Testimony:

1:29:00 Jeff Barber, Montana Environmental Information Center

EXHIBIT (nah66a06)

1:35:00 Cody Ferguson, Northern Plains Resource Council

Informational Testimony:

1:36:00 Steve Welch, Department of Environmental Quality

1:37:00 Dale S. Ployhar

EXHIBIT (nah66a07)

1:58:00 Warren McCullough, Department of Environmental Quality
(called to testify after questions from committee began)

Questions from Committee Members and Responses:

1:49:00

Closing by Sponsor:

2:10:00

2:14:00 **REP. SALES was excused.**

EXECUTIVE ACTION ON SB 456

Motion: **REP. ERICKSON** moved that SB 456 BE CONCURRED IN.

Substitute Motion/Vote: **REP. ERICKSON** made a substitute motion that SB 456 BE TABLED. Substitute motion carried unanimously 18-0 by voice vote with **REP. PETERSON** voting **aye** by verbal proxy of the Chairman and **REP. SALES** voting **aye** by written proxy.

EXECUTIVE ACTION ON HB 725

Motion: **REP. MAEDJE** moved that HB 725 DO PASS.

Substitute Motion/Vote: REP. DICKENSON made a substitute motion that HB 725 BE TABLED. Substitute motion carried 13-5 with REPS. BARRETT, EVERETT, LAMBERT, LANGE, and MAEDJE voting no by voice vote with REP. PETERSON voting aye by verbal proxy of the Chairman and REP. SALES voting aye by written proxy.

EXECUTIVE ACTION ON SB 326

Motion: REP. GUTSCHE moved that SB 326 BE CONCURRED IN.

Substitute Motion/Vote: REP. ERICKSON made a substitute motion that SB 326 BE TABLED. Substitute motion failed 8-10 with REPS. CYR, DICKENSON, ERICKSON, GILLAN, GUTSCHE, HARRIS, NEWMAN and SMALL-EASTMAN voting aye by roll call vote with REP. PETERSON voting no by verbal proxy of the Chairman and REP. SALES voting no by written proxy.

Motion/Vote: REP. LANGE moved that SB 326 BE AMENDED. Motion carried 10-8 with REPS. CYR, DICKENSON, ERICKSON, GILLAN, GUTSCHE, HARRIS, NEWMAN and SMALL-EASTMAN voting no by voice vote with REP. PETERSON voting aye by verbal proxy of the Chairman and REP. SALES voting aye by written proxy.

EXHIBIT (nah66a08)

Motion: REP. GILLAN moved that HB 326 B+E AMENDED WITH SECTIONS 5, 6, and 7 SEGREGATED.

EXHIBIT (nah66a09)

Discussion:

2:26:00

Vote: Motion carried 10-8 with REPS. BARRETT, EVERETT, LAMBERT, MALCOLM, PETERSON, ROSS, SALES, and YOUNKIN voting no by roll call vote.

Motion: REP. GILLAN moved that SB 326 BE CONCURRED IN AS AMENDED.

Vote: Motion carried 16-2 with REPS. EVERETT and MALCOLM voting no by voice vote with REP. PETERSON voting aye by verbal proxy of the Chairman and REP. SALES voting aye by written proxy.

EXECUTIVE ACTION ON SB 130

Motion: REP. ROSS moved that SB 130 BE CONCURRED IN.

Motion/Vote: REP. ERICKSON moved that SB 130 BE AMENDED. Motion carried 17-1 with REP. MAEDJE voting no by voice vote with REPS. PETERSON and SALES voting aye by proxy vote.

Motion/Vote: REP. ROSS moved that SB 130 BE CONCURRED IN AS AMENDED. Motion carried 15-3 with REPS. BARRETT, CYR, and MAEDJE voting no by voice vote with REP. PETERSON voting aye by proxy vote. REP. NOENNIG will carry SB 130.

ADJOURNMENT

Adjournment: 6:14 P.M.

REP. CINDY YOUNKIN, Chairman

KATHLEEN ELY, Secretary

CY/KE

EXHIBIT (nah66aad)